



**SENATE AMENDMENT 1,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 2007 SENATE BILL 523**

March 6, 2008 – Offered by Senator MILLER.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 71, line 9: delete the material beginning with “or if” and ending with
3 “state” on line 11.

4 **2.** Page 82, line 8: delete “inadvertently”.

5 **3.** Page 104, line 13: delete the material beginning with “or if” and ending with
6 “state” on line 15.

7 **4.** Page 107, line 9: delete lines 9 to 11 and substitute:

8 “2. Provisions for estimating and, if necessary, monitoring substantial
9 increases in water loss resulting from increases in withdrawal amounts during the
10 term of a permit and reporting the results of the estimating and monitoring, as
11 provided in rules promulgated by the department.”.

12 **5.** Page 107, line 18: after that line insert:

1 “5m. If a decision-making standard under sub. (5m) or (6) applies to the
2 withdrawal, any limit on the amount of the withdrawal necessary to ensure
3 compliance with the decision-making standard.”

4 **6.** Page 118, line 18: after “proposal” insert “or until 90 days after the
5 department submits the proposal for regional review, whichever is sooner”.

6 **7.** Page 132, line 20: delete “inadvertently”.

7 **8.** Page 132, line 22: after “(i)” insert “, unless the amount by which the
8 withdrawal exceeds the withdrawal amount would result in the application of the
9 state decision-making standard under sub. (5m) or the compact decision-making
10 standard under sub. (6)”.

11 **9.** Page 136, line 3: delete “maximize the use of” and substitute “utilize”.

12 **10.** Page 136, line 18: delete “maximize the use of” and substitute “utilize”.

13 **11.** Page 138, line 10: after that line insert:

14 “**SECTION 14m.** 281.35 (1) (cm) of the statutes is created to read:

15 281.35 (1) (cm) “Facility” means an operating plant or establishment providing
16 electricity to the public or carrying on any manufacturing activity, trade, or business
17 on one site, including similar plants or establishments under common ownership or
18 control located on contiguous properties.”.

19 **12.** Page 138, line 12: delete that line and substitute:

20 “**SECTION 16b.** 281.35 (2) (b) of the statutes is renumbered 281.35 (2) and
21 amended to read:

22 281.35 (2) In calculating the total amount of an existing or proposed water loss
23 for purposes of determining the applicability of sub. (4), a person shall include all
24 separate interbasin diversions and consumptive uses, or combinations thereof,

